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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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RONNIE LEE MOODY,  
Plaintiff,  
v.  
WOODS,  
Defendant.

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Case No. 17-cv-03380-JD

**ORDER OF DISMISSAL**

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Plaintiff, a state prisoner, has filed a civil rights action. Plaintiff was sent a notice that he had not paid the filing fee or submitted a complete application for leave to proceed in forma pauperis ("IFP"). He was allowed twenty-eight days to either pay the fee or file a proper application with all the required documents. More than twenty-eight days has passed and plaintiff has not paid the fee or filed a complete application to proceed IFP. Therefore, this case is **DISMISSED** without prejudice. This case is also dismissed as duplicative because it raises the same claims that were earlier filed in *Moody v. Woods*, No. 17-2688 JD. *See Adams v. Cal. Dept. of Health Services*, 487 F.3d 684, 688 (9th Cir. 2007). To proceed with these claims plaintiff must file an IFP application in the earlier filed case, *Moody v. Woods*, No. 17-2688.

**IT IS SO ORDERED.**

Dated: August 8, 2017

  
JAMES DONATO  
United States District Judge

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WOODS,  
Defendant.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Case No. 17-cv-03380-JD

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 8, 2017, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Ronnie Lee Moody  
CDC #AX 4388  
P.O. Box #4610  
Lancaster, CA 93536

Dated: August 8, 2017

Susan Y. Soong  
Clerk, United States District Court

By:   
LISA R. CLARK, Deputy Clerk to the  
Honorable JAMES DONATO